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ROBERT KIRKMAN, LLC

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

MICHAEL ANTHONY MOORE, an
individual,

Plaintiff,

v.

ROBERT KIRKMAN, an individual;
and ROBERT KIRKMAN, LLC, a
Kentucky limited liability company,

Defendants.

Case No. CV 12-6811-MAN

**~~PROPOSED~~ ORDER ON
STIPULATION RE SECOND
AMENDED COMPLAINT AND
FED. R. CIV. P. 26(f) REPORT**

1 The Court has considered the Stipulation re Second Amended Complaint and
2 Fed. R. Civ. P. 26(f) Report (the "Stipulation") jointly filed by Plaintiff Michael
3 Anthony Moore ("Moore") and Defendants Robert Kirkman and Robert Kirkman,
4 LLC (jointly, the "Kirkman Parties").

5 Good cause appearing for the relief requested and scheduling set forth therein,
6 the parties' Stipulation is GRANTED and the Court orders as follows:

7 1. Within five (5) days of the entry of this Order, the parties shall file a
8 request for dismissal without prejudice of Moore's First Amended Complaint and the
9 Kirkman Parties' Cross-Complaint in the currently pending action captioned *Moore v.*
10 *Kirkman, et al.*, Superior Court for the County of Los Angeles, Case No. BC478730
11 (the "State Court Action") to effectuate the complete dismissal, without prejudice, of
12 the State Court Action so that all claims by and between the parties previously
13 pending in the State Court Action may be raised and adjudicated in the instant action;

14 2. On or before October 5, 2012, Moore shall file a second amended
15 complaint in the instant action;

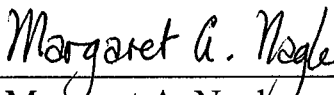
16 3. The Kirkman Parties shall have 20 days to file a responsive pleading to
17 Moore's second amended complaint;

18 4. All discovery conducted in the State Court Action, without exception,
19 shall be treated and usable as though it was taken in this action;

20 5. The parties shall file a Fed. R. Civ. P. 26(f) report on or before October
21 19, 2012.

22 IT IS SO ORDERED.

23
24 Dated: September 17, 2012

25 
26 Hon. Margaret A. Nagle
27 United States Magistrate Judge
28